

Appendix A

**Title V of the
District of Columbia's Public Education
Reform Amendment Act of 2007**

ENROLLED ORIGINAL

**PUBLIC EDUCATION
REFORM AMENDMENT ACT OF 2007**

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(9) Approve state policies for supplemental education service providers operating in the District to ensure that providers have a demonstrated record of effectiveness and offer services that promote challenging academic achievement standards and that improve student achievement;

(10) Approve the rules for residency verification;

(11) Approve the list of charter school accreditation organizations;

(12) Approve the categories and format of the annual report card, pursuant to NCLB Act;

(13) Approve the list of private placement accreditation organizations, pursuant to the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*);

(14) Approve state rules for enforcing school attendance requirements; and

(15) Approve state standards for home schooling.

(b) The Board shall conduct monthly meetings to receive citizen input with respect to issues properly before it, which may be conducted at a location in a ward.

(c) The Board shall consider matters for policy approval upon submission of a request for policy action by the State Superintendent of Education within a review period requested by the Office of the State Superintendent of Education.

(d) The Mayor shall, by order, specify the Board's organizational structure, staff, budget, operations, reimbursement of expenses policy, and other matters affecting the Board's functions.

(e) For the purposes of this section, the term "state" means District-wide and similar to functions, policies, and rules performed by states on a state-wide basis.

Sec. 404. Applicability.

This title shall apply upon Congressional enactment of Title IX.

TITLE V. INTERAGENCY COLLABORATION AND SERVICES INTEGRATION COMMISSION

Sec. 501. Short title.

This title may be cited as the "Interagency Collaboration and Services Integration Commission Establishment Act of 2007".

Sec. 502. Definitions.

For the purposes of this title, the term:

(1) "Commission" means the Interagency Collaboration and Services Integration Commission established by section 504.

(2) "Comprehensive, multi-disciplinary assessment" means an assessment of children to determine the extent to which they are affected by risk and protective factors as individuals and as members of families, communities, and schools, and the extent to which they

have service needs resulting from emotional disturbance, substance abuse, exposure to violence, or learning disabilities.

(3) "Evidence-based program" means a program that:

(A) Has been affirmatively evaluated by an independent agency with demonstrated expertise in evaluation;

(B) Demonstrates effectiveness in accomplishing its intended purposes and yields statistically significant supporting data; and

(C) Has been replicated in other communities with a level of effectiveness comparable to that indicated in the evaluation required by subparagraph (A) of this paragraph;

(4) "Integrated service plan" means a service plan that promotes delivery of services that are, to the fullest extent possible, comprehensive, implemented without interruption, and free from duplication or redundancy.

(5) "Risk and protective factors" means a circumstance or set of circumstances that assist in determining whether an individual is at risk of harm, emotional, physical, or otherwise; and

(6) "School-based clinician" means a healthcare or social-services practitioner, a mental-health professional, or substance abuse counselor certified or licensed in his or her field by the Director of the Department of Health or another nationally recognized professional organization, qualified to conduct comprehensive, multi-disciplinary assessments.

Sec. 503. Purpose.

The purpose of the Commission is to address the needs of at-risk children by reducing juvenile and family violence and promoting social and emotional skills among children and youth through the oversight of a comprehensive integrated service delivery system that includes:

(1) Comprehensive, multi-disciplinary assessments of children by school-based clinicians;

(2) Authority over a management information system that enables the inter-agency exchange of information and protects families' privacy rights;

(3) Facilitation of resource sharing and inter-agency collaboration on multi-disciplinary projects;

(4) Development and implementation of proven, evidence-based preventive and interventive programs for children and families by educational, law enforcement, mental health, and social services agencies;

(5) Development of integrated service plans for individual children and families that promote the delivery of services that are comprehensive, implemented without interruption, and free from duplication or redundancy; and

(6) Independent evaluation of the effectiveness of the programs developed pursuant to, or in accordance with, this title, including:

(A) Their impact on academic performance, levels of violence by and against children, truancy, and delinquency;

(B) The cost effectiveness of the programs, taking into account such factors as reductions, or potential reductions, in out-of-home placements and law enforcement expenditures; and

(C) The extent to which the Commission has developed the capacity to sustain the programs and activities.

Sec. 504. Commission; establishment; authority.

(a) There is established an Interagency Collaboration and Services Integration Commission.

(b) Unless expressly prohibited in law or regulation, the Commission shall have the authority to:

(1) Combine local, federal, and other resources available to the participating education, law enforcement, and human services agencies to provide comprehensive multi-disciplinary assessments, integrated services, and evidence-based programs, as required by this title;

(2) Apply for, receive, and disburse federal, state, and local funds relating to the duties and responsibilities of the Commission;

(3) Utilize the funding provided pursuant to the Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899);

(4) Exercise personnel authority for all employees of the Commission, consistent with the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*); and

(5) Exercise procurement authority, consistent with the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*) ("PPA"); except, that the provisions of section 105(a), (b), (c), and (e) of the PPA shall not apply.

Sec. 505. Duties.

(a) Within 90 days of the applicability of this title, the Commission shall:

(1) Develop an information-sharing agreement that:

(A) Adheres to all applicable provisions of federal and District law and professional standards regarding confidentiality, including Commission procedures and protocols for safeguarding confidential and other child-related information;

(B) Uses a form created by the Commission for obtaining consent to assessment and disclosure of confidential information from a participant or the parent or legal guardian of the participant to education, law enforcement, and human service agencies; and

(C) Permits Commission personnel to collect information from agencies participating in the agreement to facilitate comprehensive multi-disciplinary assessments and the development and implementation of integrated service plans;

(2) Develop procedures and protocols for safeguarding confidential and other participant-related information, documents, files, electronic communications, and computer data, including:

(A) Procedures for determining when a fully informed and written consent to assessment and disclosure of confidential information is provided by a participant or the parent or legal guardian of the participant; and

(B) The circumstances and manner in which confidential information collected and maintained by designated personnel of the Commission may be disclosed, as permitted by applicable provisions of local and federal law, to:

(I) Other personnel of the Commission for the exclusive purposes of conducting comprehensive, multi-disciplinary assessments of children or creating and implementing integrated service plans for children; and

(ii) Education, law enforcement, human service agencies, or other service providers identified in the disclosure consent for the exclusive purpose of creating and implementing integrated service plans; and

(3) Identify a comprehensive, multi-disciplinary assessment instrument that shall be used by school-based clinicians to:

(A) Determine the extent to which children are affected by risk and protective factors as individuals and as members of families, communities, and schools;

(B) Determine the extent to which children have service needs resulting from emotional disturbance, substance abuse, exposure to violence, or learning disabilities;

(C) Provide therapeutic interventions; and

(D) Assist in the development of integrated service plans;

(b)(1) All programs shall be evidence-based, age-appropriate, and implemented to serve children and their families and shall include:

(A) Early childhood psycho-social and emotional development assistance;

(B) School-based violence and substance abuse prevention;

(C) Social and emotional learning assistance;

(D) Family resiliency and strengthening assistance; and

(E) Services that are designed to reduce local reliance on out-of-home placement of children under the age of 18.

(2) The Commission shall determine the extent to which the District has preventive and early interventive evidence-based programs that already meet some or all of the requirements of paragraph (1) of this subsection and assist education, law enforcement, and human service agencies in the implementation of needed preventive and early interventive programs for children and their families.

(c) The Commission shall:

(1) Have authority over an interagency database housed in a secure location to store assessment information, data gathered pursuant to the information-sharing agreement described in subsection (a) of this section, and any other data relevant to service integration and the ongoing assessment of programs implemented or supported by the Commission;

(2) Conduct an annual independent evaluation of the effectiveness of the programs supported, facilitated, or overseen by the Commission, including:

(A) The impact on academic performance, levels of violence by and against children, truancy, and delinquency; and

(B) The cost effectiveness of the programs, taking into account such factors as reductions, or potential reductions, in out-of-home placements and in law enforcement expenditures, and the extent to which the Commission's member agencies have developed the capacity to sustain the programs and activities; and

(3)(A) Report, on an annual basis, within 90 days after the end of the fiscal year, to the Mayor and the Council on the status and progress of the objectives of the Commission, including the results of the evaluation required by paragraph (2) of this subsection and any recommendations made by the Commission to the public, the Mayor, or the Council.

(B) In calendar year 2012, the evaluation required by paragraph (2) of this subsection shall also be included in the assessment required by section 204(b).

Sec. 506. Membership.

(a) The Commission shall include the:

- (1) Mayor, who shall serve as Chair;
- (2) Chairman of Council of the District of Columbia;
- (3) Chair of the Committee on Human Services;
- (4) Chief Judge, Family Court, Superior Court of the District of Columbia;
- (5) Deputy Mayor for Education;
- (6) City Administrator;
- (7) State Superintendent of Education;
- (8) Chancellor of the District of Columbia Public Schools;
- (9) Chair of the Public Charter School Board;
- (10) Director of the Department of Human Services;
- (11) Director of the Child and Family Services Agency;
- (12) Director of the Department of Youth Rehabilitation Services;
- (13) Director of the Department of Corrections;
- (14) Director of the Department of Health;
- (15) Director of the Department of Mental Health;
- (16) Chief of the Metropolitan Police Department;
- (17) Director of the Court Social Services Agency;
- (18) Attorney General for the District of Columbia;
- (19) Director of the Criminal Justice Coordinating Council;
- (20) Director of the Department of Parks and Recreation; and
- (21) Director of the District of Columbia Public Library.

(b) The Mayor, by order, may appoint additional members to the Commission, as necessary.

Sec. 507. Administrative support.

The Commission may hire staff and obtain equipment, supplies, materials, and services necessary to carry out the functions of the Commission.

Sec. 508. Applicability.

This title shall apply upon Congressional enactment of Title IX.

TITLE VI. EDUCATION OMBUDSMAN

Sec. 601. Short title.

This title may be cited as the "Ombudsman for Public Education Establishment Act of 2007".

Sec. 602. Office of Ombudsman; establishment; term.

(a)(1) There is established within the Department of Education an Office of Ombudsman for Public Education ("Office of Ombudsman"), which shall be headed by an Ombudsman appointed by the Mayor and confirmed by the Council in accordance with paragraph (2) of this subsection.

(2) The Mayor shall submit a nomination for Ombudsman to the Council for a 45-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the nomination, by resolution, within this 45-day review period, the nomination shall be deemed approved.

(b) If a vacancy in the position of Ombudsman occurs as a consequence of resignation, disability, death, or other reason other than expiration of term, the Mayor shall appoint a replacement to fill the unexpired term in the same manner as provided in subsection (a) of this section; provided, that the Mayor shall submit the nomination to the Council within 30 days after the occurrence of the vacancy.

(c) The Ombudsman shall serve for a term of 3 years, and may be reappointed.

Sec. 603. Qualifications.

The Ombudsman shall:

- (1) Be appointed without regard to party affiliation;
- (2) Be appointed on the basis of integrity;
- (3) Possess a demonstrated ability to analyze issues and matters of law, administration, and policy;
- (4) Possess experience in the field of social work, counseling, mediation, law, policy, or public administration or auditing, accounting, or other investigative field; and
- (5) Have management experience that demonstrates an ability to hire and supervise qualified staff.

Sec. 604. Duties.

(a) The Ombudsman shall:

- (1) Provide outreach to residents and parents, and to further this purpose, have the cooperation of all individuals within the public school system;
- (2) Encourage communication between residents and the Mayor regarding all levels of public education;
- (3) Serve as a vehicle for citizens to communicate their complaints and concerns regarding public education through a single office;
- (4) Respond to complaints and concerns in a timely fashion with accurate and helpful information;
- (5) Receive complaints and concerns from parents, students, teachers, and other District residents concerning public education, including personnel actions, policies, and procedures;
- (6) Determine the validity of any complaint quickly and professionally;
- (7) Examine and address valid complaints and concerns;
- (8) Generate options for a response, and offer a recommendation among the options;
- (9) Make a referral to the pertinent school official, when appropriate;
- (10) Identify systemic concerns raised by citizens, or otherwise received, related to public education;
- (11) Maintain a database that tracks complaints and concerns received according to various categories, including school level and location;
- (12) Submit to the Deputy Mayor for Public Education and the Chairman of the Council, on a monthly basis, an analysis of the preceding month, including complaint and resolution data;
- (13) Recommend policy changes, staff training, and strategies to improve the delivery of public education services;
- (14) Systemically track complaints and concerns, and periodically analyze the data and report to the Deputy Mayor for Education patterns of complaints and concerns that suggest a need for a policy change, staff training, or the implementation of strategic action to address an issue; and
- (15) Within 90 days of the end of each school year, submit to the Deputy Mayor for Education a report analyzing the work of the previous year, including an analysis of the types, and number, of:
 - (A) Inquiries;
 - (B) Complaints and concerns resolved informally;
 - (C) Complaints and concerns examined;
 - (D) Examinations pending;
 - (E) Recommendations made; and
 - (F) Recommendations that were followed, to the extent that it can be determined.

Sec. 605. Authority.

The Ombudsman shall:

(1) Have access to books, records, files, reports, findings, and all other papers, items, or property belonging to or in use by all departments, agencies, instrumentalities, and employees of District of Columbia Public Schools ("DCPS") necessary to facilitate the purpose of this title, excluding the Executive Office of the Mayor, the Council, and the District of Columbia courts;

(2) Have full access to student educational records as allowed by federal and local law;

(3) Speak in regard to educational issues under the purview of the Office of Ombudsman with any official or employee within the public school system without the permission of the individual's supervisor;

(4) Examine an act or failure to act of any official or employee within the public school system;

(5) Determine which complaints and concerns warrant further examination;

(6) Examine any matter under the purview of the Office of Ombudsman absent a complaint;

(7) Forward to the Office of the Inspector General all complaints and concerns that require an audit or investigation of a school or a program, agency, or department within DCPS that falls within the purview of the Office of the Inspector General; and

(8) Forward to the Deputy Mayor for Education any policy recommendations that the Ombudsman determines would be helpful to prevent and detect corruption, mismanagement, waste, fraud, and abuse within DCPS.

Sec. 606. Limitations; protections.

(a) The Ombudsman shall not:

(1) Disclose personally identifiable information regarding a student without the specific written consent of the student or parent, as required by federal and local law;

(2) Disclose the substance of a conversation with any teacher or other official or employee within the public school system without consent;

(3) Disclose the identity of any person who brings a complaint or provides information to the Ombudsman without the person's consent, unless the Ombudsman determines that disclosure is unavoidable or necessary to further the ends of an investigation;

(4) Have the authority to take any personnel action; or

(5) Examine the Executive Office of Mayor, the Council or its personnel, or the District of Columbia courts or its personnel.

(b) The Ombudsman shall not:

(1) Be compelled to testify in a legal or administrative proceeding regarding an Office of Ombudsman examination or to release information gathered during the course of an examination or investigation;

(2) Be held personally liable for the good faith performance of his or her responsibilities under this title, except that no immunity shall extend to criminal acts, or other acts that violate District or federal law; or

(3) Be subject to retaliatory action for the good faith performance of his or her responsibilities under this title.

Sec. 607. Applicability.

This title shall apply upon Congressional enactment of Title IX.

TITLE VII. OFFICE OF PUBLIC EDUCATION FACILITIES MODERNIZATION

Sec. 701. Short title.

This title may be cited as the "Office of Public Education Facilities Modernization Establishment Act of 2007".

Sec. 702. Office of Public Education Facilities Modernization; establishment.

(a) There is established within the executive branch of the government of the District of Columbia an Office of Public Education Facilities Modernization ("OFM"), which shall be headed by a Director.

(b) The OFM shall have independent procurement and personnel authority. The OFM shall promulgate rules to implement this authority. The proposed rules for procurement and for personnel shall be submitted to the Council for a 45-day period of review. If the Council does not approve or disapprove the proposed rules, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.

(c) The OFM shall be funded annually out of the Public School Capital Improvement Fund ("Fund"), established by the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2971.01 *et seq.*) ("School Modernization Financing Act").

Sec. 703. Director; appointment.

The Director of OFM shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). The Director shall:

- (1) Receive such compensation as determined by the Mayor; and
- (2) Have extensive experience in construction project management.

Sec. 704. Director; authority.

The Director shall:

- (1) Direct and supervise the administration and management of OFM;
- (2) Have the authority to hire and fire personnel within OFM;
- (3) Have the authority to manage the financial affairs of OFM;
- (4) Consult regularly with the Chancellor, the Public School Modernization Advisory Committee, established by section 201 of the School Modernization Financing Act, and the State Superintendent of Education to ensure coordination throughout the school modernization process;
- (5) Employ an architect to review designs;

(6) Direct and manage the modernization or new construction of District of Columbia Public Schools ("DCPS") facilities by approving and authorizing decisions at every stage of school modernization, including planning, design, procurement, and construction, in accordance with the Facilities Master Plan required by the School Modernization Financing Act; provided, that it shall not manage routine maintenance at DCPS facilities.

(7) In consultation with DCPS, seek amendments, if any, to the Facilities Master Plan necessary or desirable to improve the effectiveness of OFM and advance the purposes of this title;

(8) Enter into contracts and execute any instrument necessary or desirable to improve the effectiveness of OFM and advance the purposes of this title; and

(9) Comply with the requirements of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*), and the requirements of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

Sec. 705. Reporting requirement.

By December 1 of each year, beginning with 2008, OFM shall submit to the Mayor, the Council, the Public School Modernization Advisory Committee, and the Board of Education or State Board of Education, a report of all the activities of the OFM during the preceding fiscal year, including related financial statements and summaries of projects, the total amount of contract expenditures awarded to local, small, and disadvantaged business enterprises, and the number of employees who are District residents.

TITLE VIII. PUBLIC CHARTER SCHOOL ACCOUNTABILITY REFORM

Sec. 801. Short title.

This title may be cited as the "Public Charter Schools Accountability Reform Amendment Act of 2007".

Sec. 802. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1800.01 *et seq.*), is amended as follows:

(a) Section 2201 (D.C. Official Code § 38-1802.01) is amended by adding a new subsection (f) to read as follows:

Amend
§ 38-1802.01

"(f) *Existing public charter schools.*— A public charter school that existed prior to the effective date of the Public Charter Schools Accountability Reform Amendment Act of 2007, passed on 2nd reading on April 19, 2007 (Enrolled version of Bill 17-1), and that was chartered by the District of Columbia Board of Education pursuant to the Public Charter Schools Act of 1996, effective May 29, 1996 (D.C. Law 11-135, D.C. Official Code § 38-1701.01 *et seq.*), shall not be required to file a petition with the Public Charter School Board; it shall be considered approved and chartered for the purposes of this act and shall be subject to the powers and duties granted to the Public Charter School Board as an eligible chartering authority pursuant to sections 2211, 2212, and 2213. "

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(b) Section 2203(j)(2) (D.C. Official Code § 38-1802.03(j)(2)) is amended by striking the phrase "of Columbia." and inserting the phrase "of Columbia or by the Office of the State Superintendent of Education. In the case of review by the Office of the State Superintendent of Education, the Office of the State Superintendent of Education shall issue procedures for the submission and review of appeals." in its place.

Amend
§ 38-1802.03

(c) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding new paragraphs (19) and (20) to read as follows:

Amend
§ 38-1802.04

“(19) *Participation in education data warehouse.*—A public charter school shall participate in the longitudinal education data warehouse system and shall provide data to the Office of the State Superintendent of Education upon request.

“(20) *Cooperation with the Office of Ombudsman for Public Education.* – A public charter school shall cooperate with the Office of Ombudsman for Public Education and shall comply with the disclosure protections of the Ombudsman for Public Education Establishment Act of 2007, passed on 2nd reading on April 19, 2007 (Enrolled version of Bill 17-1).”.

(d) Section 2212(a)(3) (D.C. Official Code § 38-1802.12(a)(3)) is amended to read as follows:

Amend
§ 38-1802.12

“(3) *Review.*—An eligible chartering authority that grants or renews a charter pursuant to paragraph (1) or (2) of this subsection shall review the charter at least once every 5 years to determine whether the charter should be revoked for the reasons described in section 2213(a) or (b), in accordance with the procedures for revocation established under section 2213.

(e) Section 2213 (D.C. Official Code § 38-1802.13) is amended as follows:

Amend
§ 38-1802.13

(1) Subsection (a) is amended to read as follows:

“(a) *Charter or law violations; failure to meet goals.*—Using the record established by the chartering authority, an eligible chartering authority that has granted a charter to a public charter school may revoke the charter if the eligible chartering authority determines that the school:

“(1) Committed a violation of applicable law or a material violation of the conditions, terms, standards, or procedures set forth in the charter, including violations relating to the education of children with disabilities; or

“(2) Has failed to meet the goals and student academic achievement expectations set forth in the charter.”.

(2) Subsection (c)(5) is amended by striking the phrase "Board of Education" and inserting the phrase "eligible chartering authority" in its place.

(f) Section 2214 (D.C. Official Code § 38-1802.14) is amended as follows:

Amend
§ 38-1802.14

(1) Subsection (b)(3) is amended by striking the period at the end and inserting the phrase ", and all meetings of the Board shall be open to the public and shall provide a reasonable time during the meeting for public comment." in its place.

(2) A new subsection (i) is added to read as follows:

"(i) *Freedom of Information Act.* - The Board shall comply with all provisions of the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).”.

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(g) Section 2552 (D.C. Official Code § 38-1805.52) is amended by striking the phrase "Superintendent and Board of Education shall consult with the Mayor, the Council" and inserting the phrase "Mayor shall consult with the Council, the Director of the Office of Public Education Facilities Modernization," in its place.

Amend
§ 38-1805.52

Sec. 803. The Public Charter Schools Act of 1996, effective May 29, 1996 (D.C. Law 11-135; D.C. Official Code § 38-1701.01 *et seq.*), is repealed.

Repeal
§§ 38-1701.01
- 38-1702.19

Sec. 804. Applicability.

Section 802 shall apply upon enactment by Congress.

TITLE IX. CHARTER AMENDMENT REQUEST

Sec. 901. Short title.

This title may be cited as the "District of Columbia Board of Education Charter Amendment Act of 2007".

Sec. 902. The District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*), is amended as follows:

(a) Section 452 (D.C. Official Code § 1-204.52) is repealed.

(b) Section 495 (D.C. Official Code § 1-204.95) is repealed.

Repeal
§ 1-204.52
Repeal
§ 1-204.95

Sec. 903. Applicability.

This title shall apply upon enactment by Congress.

TITLE X. CONFORMING AMENDMENTS

Sec. 1001. Section 301 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01), is amended as follows:

Amend
§ 1-603.01

(a) Paragraph (m) is amended by striking the phrase "but not limited to, the District of Columbia Board of Education,".

(b) Paragraph (q) is amended as follows:

(A) Strike the word "and" at the end of paragraph (61).

(B) Strike the period at the end of paragraph (62) and insert the phrase "; and" in its place.

(C) A new paragraph (63) is added to read as follows:

"(63) District of Columbia Public Schools.".

Sec. 1002. The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), is amended as follows:

(a) Section 104(d) (D.C. Official Code § 2-301.04(d)) is repealed.

Amend
§ 2-301.04

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(b) Section 320 (D.C. Official Code § 2-303.20) is amended by adding a new subsection (r) to read as follows:

Amend
§ 2-303.20

"(r) Notwithstanding section 105(a), (b), (c), and (e), the Mayor may designate the Chancellor of the District of Columbia Public Schools as the procurement authority for District of Columbia Public Schools, consistent with the other provisions of this act."

Sec. 1003. An Act To fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906 (34 Stat. 316; D.C. Official Code § 38-101 *et seq.*), is amended as follows:

Repeal
§ 38-101

(a) Section 2(a)-(f) (D.C. Official Code § 38-101) is repealed.

(b) Section 2(h) (D.C. Official Code § 38-103) is amended by striking the phrase "The Board of Education" and inserting the phrase "The Chancellor of the District of Columbia Public Schools" in its place.

Repeal
§ 38-103

(c) Section 3(1) (D.C. Official Code § 38-105) is repealed.

Repeal
§ 38-105

(d) Section 3(2) (D.C. Official Code § 38-106) is repealed.

Repeal
§ 38-106

(e) Section 14 (D.C. Official Code § 38-156) is amended by striking the phrase "The Board of Education, upon the approval of the Mayor, and with the consent of the Council by resolution," and inserting the phrase "The Mayor, with the consent of the Council by resolution," in its place.

Repeal
§ 38-156

Sec. 1004. Section 1 of An Act To authorize appointment of public-school employees between meetings of the Board of Education, approved April 22, 1932 (47 Stat. 134; D.C. Official Code § 38-131), is amended to read as follows:

Amend
§ 38-131

"Sec. 1. Provisional duties of the Chancellor.

"The Chancellor of the District of Columbia Public Schools is authorized to accept the resignation or the application for retirement of any employee, to grant leave of absence to any employee, to extend or terminate any temporary appointment, and to make all changes in personnel and appointments growing out of such resignation, retirement, leave of absence, termination of temporary appointment, or caused by the decease or suspension of any employee."

Sec. 1005. Section 143 of the District of Columbia Appropriations Act, 1995, approved September 30, 1994 (108 Stat. 2594; D.C. Official Code § 38-154), is amended as follows:

Amend
§ 38-154

(a) Subsection (a) is amended by striking the phrase "Hereafter, the Board of Education" and inserting the phrase "The Chancellor" in its place.

(b) Subsection (d)(1) is amended as follows:

(1) Strike the phrase "Board of Education of the District of Columbia" and insert the word "Mayor" in its place.

(2) Strike the phrase "Congress, and to the Mayor and Council" and insert the phrase "Congress and to the Council" in its place.

Sec. 1006. Section 2 of the District of Columbia Board of Education School Seal Act of

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1978, effective August 2, 1978 (D.C. Law 2-96; D.C. Official Code § 38-155), is amended by striking the phrase "The Board of Education of the District of Columbia" and inserting the phrase "The Mayor" in its place.

Amend
§ 38-155

Sec. 1007. Section 1203 of the Budget Support Act of 1995, effective March 5, 1996 (D.C. Law 11-98; D.C. Official Code § 38-157), is amended as follows:

Amend
§ 38-157

(a) Strike the phrase "District of Columbia Board of Education" wherever it appears and insert the phrase "District of Columbia Public Schools" in its place.

(b) Strike the word "Superintendent" and insert the word "Chancellor" in its place.

Sec. 1008. Section 3 of the District of Columbia Public School Support Initiative of 1986, effective February 17, 1988 (D.C. Law 7-68; D.C. Official Code § 38-917), is amended as follows:

Amend
§ 38-917

(a) Strike the phrase "District of Columbia Board of Education" both times it appears and insert the phrase "Chancellor" in its place.

(b) Strike the phrase "Board of Education" wherever it appears and insert the phrase "Chancellor" in its place.

Sec. 1009. Section 1104 of the School Based Budgeting and Accountability Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-2803), is amended as follows:

Amend
§ 38-2803

(a) Subsection (a) is amended by striking the phrase "June 30, 2006" and inserting the phrase "June 1, 2007" in its place.

(b) Subsection (b)(1) is amended by striking the phrase "Board of Education" and inserting the phrase "District of Columbia Public Schools" in its place.

(c) Subsection (c) is amended striking the phrase "Superintendent and Board of Education shall consult with the Mayor, the Council," and inserting the phrase "Mayor shall consult with the Council, the Director of the Office of Public Education Facilities Modernization," in its place.

(d) Subsection (d) is amended by striking the phrase "Board of Education" and inserting the word "Mayor" in its place.

Sec. 1010. The School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2971.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-2971.01) is amended as follows:

Amend
§ 38-2971.01

(1) Subsection (a) is amended by striking the phrase "District of Columbia Public Schools capital budget" and inserting the phrase "Office of Public Education Facilities Modernization" in its place.

(2) Subsection (d) is amended striking the phrase "that are requested by the Board of Education to the Board of Education through the District of Columbia Public Schools capital budget" and inserting the phrase "to the Office of Public Education Facilities Modernization" in its place.

(3) Subsection (e) is amended by striking the phrase “District of Columbia Public Schools” and inserting the phrase “Office of Public Education Facilities Modernization” in its place.

(b) Section 102 (D.C. Official Code § 38-2971.02) is amended by striking the phrase in the heading “District of Columbia Public School” and inserting the phrase “Office of Public Education Facilities Modernization” in its place.

Amend
§ 38-2971.02

(c) Section 103 (D.C. Official Code § 38-2971.03) is amended as follows:

Amend
§ 38-2971.03

(1) Subsection (a)(1) is amended as follows:

(A) Strike the phrase “Board of Education” and insert the phrase “Office of Public Education Facilities Modernization” in its place.

(B) Strike the phrase “District of Columbia Public Schools” and insert the phrase “Office of Public Education Facilities Modernization” in its place.

(C) Strike the phrase “modernization of public school facilities” and insert the phrase “modernization of public school facilities and to pay for the budget and administrative costs of the Office of Public Education Facilities Modernization” in its place.

(2) Subsection (b) is amended as follows:

(A) Strike the phrase “Board of Education” and insert the phrase “Office of Public Education Facilities Modernization” in its place.

(B) Strike the phrase “in accordance with” and insert the phrase “to fund the Office of Public Education Facilities Modernization and to modernize District of Columbia Public Schools in accordance with” in its place.

(3) Subsection (c) is amended by striking the phrase “Board of Education through the District of Columbia of Columbia Public Schools capital budget” and inserting the phrase “Office of Public Education Facilities Modernization” in its place.

(4) Subsection (d) is amended by striking the phrase “the Board of Education” and inserting the phrase “Secretary to the Council of the District of Columbia” in its place.

(d) Section 104(a)(4) (D.C. Official Code § 38-2971.04(a)(4)) is amended as follows:

Amend
§ 38-2971.04

(1) Strike the word “Superintendent” and insert the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(2) Strike the phrase “District of Columbia Public Schools” and insert the phrase “Office of Public Education Facilities Modernization” in its place.

(e) Section 201 (D.C. Official Code § 38-2973.01) is amended as follows:

Amend
§ 38-2973.01

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “of the Board of Education and those of the District” and inserting the phrase “of the Mayor” in its place.

(B) Paragraph (3) is amended by striking the phrase “Board of Education” and inserting the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(2) Subsection (b) is amended to read as follows:

“(b) The Committee shall consist of 11 members, as follows:

“(1) The Mayor shall appoint 5 members to the Committee, of which one

member shall be the parent of a District of Columbia Public Schools ("DCPS") student and one member shall be a teacher in DCPS.

“(2) The Council shall appoint 3 members.

“(3) The Chief Financial Officer shall appoint 2 members.

“(4) The Board of the Education shall appoint one member.”.

(3) Subsection (d) is amended by striking the phrase “3 years, with no more than one renewal” and inserting the phrase “3 years” in its place.

(4) Subsection (f) is amended by striking the phrase “Board of Education” and inserting the phrase “Office of Public Education Facilities Modernization” in its place.

(5) Subsection (g) is amended to read as follows:

"(g) The Chairperson of the Committee shall be designated by the Mayor in consultation with the Council and Chief Financial Officer.”.

(f) Section 202 (D.C. Official Code § 38-2973.02) is amended as follows:

Amend
§ 38-2973.02

(1) The heading is amended by striking the word “Superintendent” and inserting the phrase “the Director of the Office of Public Education Facilities Modernization” in its place.

(2) Subsection (a) is amended by striking the word “Superintendent” and inserting the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(3) Subsection (b) is amended by striking the word “Superintendent” and inserting the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(4) Subsection (c) is amended to read as follows:

“(c) The Committee shall forward any written assessment provided to the Director of the Office of Public Education Facilities Modernization to the Mayor, the Council, the Chancellor of the District of Columbia Public Schools, and the Chief Financial Officer.”.

(5) Subsection (d) is amended as follows:

(A) Strike the word “Superintendent” and insert the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(B) Strike the phrase “District of Columbia Public Schools” and insert the phrase “Office of Public Education Facilities Modernization” in its place.

(6) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the word "Superintendent" and insert the phrase "Director of the Office of Public Education Facilities Modernization" in its place.

(ii) Strike the phrase "the Chair of the Council, the Chair of the Committee on Education, Libraries, and Recreation, and the President of the Board of Education." and insert the phrase "the Council, the Chancellor of the District of Columbia Public Schools, and the Chief Financial Officer." in its place.

(B) Paragraph (2) is amended by striking the word “Superintendent” and inserting the phrase “Director of the Office of Public Education Facilities Modernization” in its place.

(g) Section 203 (D.C. Official Code § 38-2973.03) is amended as follows:

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(1) Subsection (a) is amended as follows:

Amend
§ 38-2973.03

(A) Strike the phrase "June 1, 2006" and insert the phrase "October 1, 2007" in its place.

(B) Strike the phrase "Superintendent, with the approval of the Board of Education," and insert the phrase "Director of the Office of Public Education Facilities Modernization, in consultation with the Mayor," in its place.

(2) Subsection (b) is repealed.

(h) Section 204 (D.C. Official Code § 38-2973.04) is amended by striking the phrase "District of Columbia Public Schools" wherever it appears and inserting the phrase "Office of Public Education Facilities Modernization" in its place.

Amend
§ 38-2973.04

Sec. 1011. Applicability.

This title shall apply upon Congressional enactment of Title IX.

TITLE XI. FISCAL IMPACT; EFFECTIVE DATE

Sec. 1101. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 1102. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia